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REPLY TO: New York

**BY FEDERAL EXPRESS**

Hon. Colleen McMahon, USDJ  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St., Room 640  
New York, NY 10007

Re: Hertzoff v. United Orthopaedic Appliances Co., Inc. and Diaz - 03-cv-03157

Dear Judge McMahon:

The parties jointly propose this application to extend the end-date for discovery from December 20, 2007 to June 20, 2008. The reason for this request is that the parties have renewed settlement negotiations and feel it would be prudent and efficient to postpone discovery in order to enhance the possibility of successful negotiations. This is the parties' first request for an extension of the discovery deadline.

Your consideration is greatly appreciated..

Respectfully submitted,

Andrew L. Zwerling

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Extension  
Granted.

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Hon. Colleen McMahon, USDJ  
September 21, 2007  
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cc: George Hinckley  
Andrew E. Blustein  
Colleen M. Tarpey